

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ullrich et al.

Title: CELL LINE COMPRISING VECTOR ENCODING
TRUNCATED FLK-1 RECEPTOR

Appl. No.: 10/799,782

Filing Date: 3/15/2004

Examiner: Spector, Lorraine

Art Unit: 1647

Conf. No.: 9104

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated September 18, 2009, and in the Advisory Action dated March 1, 2010, finally rejecting Claims 5 and 6.

[] Applicant claims small entity status.

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[X] Notice of Appeal Fee

[X] To be paid as detailed below

[] Not required (Fee paid in prior appeal)

The required fees are calculated below:

[X]	Notice of Appeal Fee	\$540.00
[X]	Extension for response filed within the third month:	\$1,110.00
[X]	Extension Already Obtained for second month:	\$490.00
	FEE TOTAL:	\$1,160.00
[]	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	TOTAL FEE:	\$1,160.00

The above-identified fees of \$1,160.00 are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16, 1.17 and 41.20, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: March 16, 2010

By: /Stephanie H. Vavra/ Reg. No. 45,178

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5538
Facsimile: (202) 672-5399

for Michele M. Simkin
Attorney for Applicant
Registration No. 34,717